

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MARJORIE TRAMP,

Plaintiff,

vs.

ASSOCIATED UNDERWRITERS, INC.,

Defendant.

8:11CV371

MEMORANDUM AND ORDER

This matter is before the Court on the Defendant's Motion Renewing its Prior Motions for Direct[ed] Verdict and Vacating the Jury Verdict or in the Alternative for a New Trial (Filing No. 138).

The Court concludes that there was sufficient evidence presented at trial from which a reasonable jury could conclude that Plaintiff Marjorie Tramp met her burden of presenting a prima facie case of retaliation, including conduct protected by the Age Discrimination in Employment Act ("ADEA") (29 U.S.C. § 621, *et seq.*) and a causal link between such conduct and an adverse employment action. The Court also concludes that a new trial is not warranted to avoid a miscarriage of justice. See *Keenan v. Computer Assocs. Int'l, Inc.*, 13 F.3d 1266, 1269 (8th Cir.1994). Accordingly, the Defendant's Renewed Motion for Directed Verdict pursuant to Fed. R. Civ. P. 50, and Motion for New Trial pursuant to Fed. R. Civ. P. 59, will be denied.

IT IS ORDERED:

Defendant's Motion Renewing its Prior Motions for Direct[ed] Verdict and Vacating the Jury Verdict or in the Alternative for a New Trial (Filing No. 138) is denied.

Dated this 19th day of August, 2015.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge